

Calendar No. 236

109TH CONGRESS
1ST SESSION**S. 206****[Report No. 109–144]**

To designate the Ice Age Floods National Geologic Trail, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JANUARY 31, 2005

Ms. CANTWELL (for herself, Mr. CRAIG, Mrs. MURRAY, Mr. SMITH, Mr. BURNS, and Mr. WYDEN) introduced the following bill; which was read twice and referred to the Committee on Energy and Natural Resources

OCTOBER 19, 2005

Reported by Mr. DOMENICI, with an amendment

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To designate the Ice Age Floods National Geologic Trail,
and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Ice Age Floods Na-
5 tional Geologic Trail Designation Act of 2005”.

1 **SEC. 2. FINDINGS AND PURPOSE.**

2 (a) FINDINGS.—Congress finds that—

3 (1) at the end of the last Ice Age, some 12,000
4 to 17,000 years ago, a series of cataclysmic floods
5 occurred in what is now the northwest region of the
6 United States, leaving a lasting mark of dramatic
7 and distinguishing features on the landscape of
8 parts of the States of Montana, Idaho, Washington
9 and Oregon;

10 (2) geological features that have exceptional
11 value and quality to illustrate and interpret this ex-
12 traordinary natural phenomenon are present on Fed-
13 eral, State, tribal, county, municipal, and private
14 land in the region; and

15 (3) in 2001, a joint study team headed by the
16 National Park Service that included about 70 mem-
17 bers from public and private entities completed a
18 study endorsing the establishment of an Ice Age
19 Floods National Geologic Trail—

20 (A) to recognize the national significance
21 of this phenomenon; and

22 (B) to coordinate public and private sector
23 entities in the presentation of the story of the
24 Ice Age floods.

25 (b) PURPOSE.—The purpose of this Act is to des-
26 ignate the Ice Age Floods National Geologic Trail in the

1 States of Montana, Idaho, Washington, and Oregon, ena-
 2 bling the public to view, experience, and learn about the
 3 features and story of the Ice Age floods through the col-
 4 laborative efforts of public and private entities.

5 **SEC. 3. DEFINITIONS.**

6 In this Act:

7 (1) ICE AGE FLOODS; FLOODS.—The term “Ice
 8 Age floods” or “floods” means the cataclysmic floods
 9 that occurred in what is now the northwestern
 10 United States during the last Ice Age from massive,
 11 rapid and recurring drainage of Glacial Lake in Mis-
 12 soula, Montana.

13 (2) PLAN.—The term “plan” means the cooper-
 14 ative management and interpretation plan author-
 15 ized under section 5(f).

16 (3) SECRETARY.—The term “Secretary” means
 17 the Secretary of the Interior.

18 (4) TRAIL.—The term “Trail” means the Ice
 19 Age Floods National Geologic Trail designated by
 20 section 4(a).

21 **SEC. 4. ICE AGE FLOODS NATIONAL GEOLOGIC TRAIL.**

22 (a) DESIGNATION.—In order to provide for public ap-
 23 preciation, understanding, and enjoyment of the nationally
 24 significant natural and cultural features of the Ice Age
 25 floods and to promote collaborative efforts for interpreta-

tion and education among public and private entities located along the pathways of the floods, there is designated the Ice Age Floods National Geologic Trail.

(b) LOCATION.—

(1) MAP.—The route of the Trail shall be generally depicted on the map entitled “Ice Age Floods National Geologic Trail,” numbered _____, and dated _____.

(2) ROUTE.—The route shall generally follow public roads and highways—

(A) from the vicinity of Missoula in western Montana;

(B) across northern Idaho;

(C) through eastern and southern sections of Washington;

(D) across northern Oregon in the vicinity of the Willamette Valley and the Columbia River; and

(E) to the Pacific Ocean.

(3) REVISION.—The Secretary may revise the map by publication in the Federal Register of a notice of availability of a new map as part of the plan.

(c) MAP AVAILABILITY.—Any map referred to in subsection (b) shall be on file and available for public inspection.

tion in the appropriate offices of the National Park Service.

SEC. 5. ADMINISTRATION.

(a) **IN GENERAL.**—The Secretary, acting through the Director of the National Park Service, shall administer the Trail in accordance with this Act.

(b) **TRAIL MANAGEMENT OFFICE.**—In order for the National Park Service to manage the Trail and coordinate Trail activities with other public agencies and private entities, the Secretary may establish and operate a trail management office within the vicinity of the Trail.

(c) **LAND ACQUISITION.**—

(1) **IN GENERAL.**—If the acquisition is consistent with the plan, the Secretary may acquire land, in a quantity not to exceed 25 acres, for administrative and public information purposes to facilitate the geographic diversity of the Trail throughout the States of Montana, Idaho, Washington, and Oregon.

(2) **METHODS.**—

(A) **PRIVATE LAND.**—Private land may be acquired from a willing seller under this Act only by donation, purchase with donated or appropriated funds, or exchange.

1 ~~(B) NON-FEDERAL PUBLIC LAND.—Non-~~
 2 Federal public land may be acquired from a
 3 willing seller under this Act—

4 (i) only by donation or exchange; and
 5 (ii) after consultation with the af-
 6 fected unit of local government.

7 ~~(d) INTERPRETIVE FACILITIES.—~~The Secretary may
 8 plan, design, and construct interpretive facilities for sites
 9 associated with the Trail if the facilities are constructed
 10 in partnership with State, local, tribal, or non-profit enti-
 11 ties and are consistent with the plan.

12 ~~(e) INTERAGENCY TECHNICAL COMMITTEE.—~~

13 ~~(1) IN GENERAL.—~~The Secretary shall establish
 14 an interagency technical committee to advise the
 15 trail management office on the technical planning
 16 for the development of the plan.

17 ~~(2) COMPOSITION.—~~The committee—

18 ~~(A)~~ shall include—

19 (i) representatives from Federal,
 20 State, local, and tribal agencies with inter-
 21 ests in the floods; and

22 (ii) representatives from the Ice Age
 23 Floods Institute; and

24 ~~(B)~~ may include private property owners,
 25 business owners, and nonprofit organizations.

1 ~~(f) MANAGEMENT PLAN.—~~

2 ~~(1) IN GENERAL.—~~Not later than 3 years after
 3 funds are made available to carry out this Act under
 4 section 6, the Secretary shall prepare a cooperative
 5 management and interpretation plan for the Trail.

6 ~~(2) CONSULTATION.—~~The Secretary shall pre-
 7 pare the plan in consultation with—

8 ~~(A)~~ State, local, and tribal governments;

9 ~~(B)~~ the Ice Age Floods Institute;

10 ~~(C)~~ private property owners; and

11 ~~(D)~~ other interested parties.

12 ~~(3) CONTENTS.—~~The plan shall—

13 ~~(A)~~ confirm and, if appropriate, expand on
 14 the inventory of features of the floods contained
 15 in the National Park Service study entitled “Ice
 16 Age Floods, Study of Alternatives and Environ-
 17 mental Assessment” (February 2001) by—

18 ~~(i)~~ locating features more accurately;

19 ~~(ii)~~ improving the description of fea-
 20 tures; and

21 ~~(iii)~~ reevaluating the features in terms
 22 of their interpretive potential;

23 ~~(B)~~ review and, if appropriate, modify the
 24 map of the Trail referred to in section 4(b);

(C) describe strategies for the coordinated development of the Trail, including an interpretive plan for facilities, waysides, roadside pull-outs, exhibits, media, and programs that present the story of the floods to the public effectively; and

(D) identify potential partnering opportunities in the development of interpretive facilities and educational programs to educate the public about the story of the floods.

(g) COOPERATIVE MANAGEMENT.—

(1) IN GENERAL.—In order to facilitate the development of coordinated interpretation, education, resource stewardship, visitor facility development and operation, and scientific research associated with the Trail and to promote more efficient administration of the sites associated with the Trail, the Secretary may enter into cooperative management agreements with appropriate officials in the States of Montana, Idaho, Washington, and Oregon in accordance with the authority provided for units of the National Park System under section 3(1) of Public Law 91-383 (16 U.S.C. 1a-2(l)).

1 ~~(2) UNIT OF NATIONAL PARK SYSTEM.—For~~
 2 purposes of this subsection, the Trail shall be con-
 3 sidered a unit of the National Park System.

4 ~~(h) COOPERATIVE AGREEMENTS.—The Secretary~~
 5 may enter into cooperative agreements with public or pri-
 6 vate entities to carry out this Act.

7 ~~(i) EFFECT ON PRIVATE PROPERTY RIGHTS.—Noth-~~
 8 ing in this Act—

9 ~~(1) requires any private property owner to allow~~
 10 public access (including Federal, State, or local gov-
 11 ernment access) to private property; or

12 ~~(2) modifies any provision of Federal, State, or~~
 13 local law with respect to public access to or use of
 14 private land.

15 ~~(j) LIABILITY.—Designation of the Trail by section~~
 16 4(a) does not create any liability for, or affect any liability
 17 under any law of, any private property owner with respect
 18 to any person injured on the private property.

19 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

20 There are authorized to be appropriated such sums
 21 as are necessary to carry out this Act, of which not more
 22 than \$500,000 may be used for each fiscal year for the
 23 administration of the Trail.

1 **SECTION 1. SHORT TITLE.**

2 *This Act may be cited as the “Ice Age Floods National*
 3 *Geologic Trail Designation Act”.*

4 **SEC. 2. FINDINGS AND PURPOSE.**

5 (a) *FINDINGS.*—Congress finds that—

6 (1) *at the end of the last Ice Age, some 12,000*
 7 *to 17,000 years ago, a series of cataclysmic floods oc-*
 8 *curred in what is now the northwest region of the*
 9 *United States, leaving a lasting mark of dramatic*
 10 *and distinguishing features on the landscape of parts*
 11 *of the States of Montana, Idaho, Washington and Or-*
 12 *egon;*

13 (2) *geological features that have exceptional*
 14 *value and quality to illustrate and interpret this ex-*
 15 *traordinary natural phenomenon are present on Fed-*
 16 *eral, State, tribal, county, municipal, and private*
 17 *land in the region; and*

18 (3) *in 2001, a joint study team headed by the*
 19 *National Park Service that included about 70 mem-*
 20 *bers from public and private entities completed a*
 21 *study endorsing the establishment of an Ice Age*
 22 *Floods National Geologic Trail—*

23 (A) *to recognize the national significance of*
 24 *this phenomenon; and*

1 (B) to coordinate public and private sector
 2 entities in the presentation of the story of the Ice
 3 Age floods.

4 (b) *PURPOSE.*—The purpose of this Act is to designate
 5 the Ice Age Floods National Geologic Trail in the States
 6 of Montana, Idaho, Washington, and Oregon, enabling the
 7 public to view, experience, and learn about the features and
 8 story of the Ice Age floods through the collaborative efforts
 9 of public and private entities.

10 **SEC. 3. DEFINITIONS.**

11 *In this Act:*

12 (1) *ICE AGE FLOODS; FLOODS.*—The term “Ice
 13 Age floods” or “floods” means the cataclysmic floods
 14 that occurred in what is now the northwestern United
 15 States during the last Ice Age from massive, rapid
 16 and recurring drainage of Glacial Lake in Missoula,
 17 Montana.

18 (2) *PLAN.*—The term “plan” means the coopera-
 19 tive management and interpretation plan authorized
 20 under section 5(e).

21 (3) *SECRETARY.*—The term “Secretary” means
 22 the Secretary of the Interior.

23 (4) *TRAIL.*—The term “Trail” means the Ice Age
 24 Floods National Geologic Trail designated by section
 25 4(a).

1 **SEC. 4. ICE AGE FLOODS NATIONAL GEOLOGIC TRAIL.**

2 (a) *DESIGNATION.*—*In order to provide for public ap-*
 3 *preciation, understanding, and enjoyment of the nationally*
 4 *significant natural and cultural features of the Ice Age*
 5 *floods and to promote collaborative efforts for interpretation*
 6 *and education among public and private entities located*
 7 *along the pathways of the floods, there is designated the Ice*
 8 *Age Floods National Geologic Trail.*

9 (b) *LOCATION.*—

10 (1) *MAP.*—*The route of the Trail shall be gen-*
 11 *erally depicted on the map entitled “Ice Age Floods*
 12 *National Geologic Trail,” numbered P43/80,000 and*
 13 *dated June 2004.*

14 (2) *ROUTE.*—*The route shall generally follow*
 15 *public roads and highways.*

16 (3) *REVISION.*—*The Secretary may revise the*
 17 *map by publication in the Federal Register of a no-*
 18 *tice of availability of a new map as part of the plan.*

19 (c) *MAP AVAILABILITY.*—*The map referred to in sub-*
 20 *section (b) shall be on file and available for public inspec-*
 21 *tion in the appropriate offices of the National Park Service.*

22 **SEC. 5. ADMINISTRATION.**

23 (a) *IN GENERAL.*—*The Secretary, acting through the*
 24 *Director of the National Park Service, shall administer the*
 25 *Trail in accordance with this Act.*

1 (b) *LIMITATION.*—*Except as provided in subsection*
 2 *(f)(2), the Trail shall not be considered to be a unit of the*
 3 *National Park System.*

4 (c) *TRAIL MANAGEMENT OFFICE.*—*To improve man-*
 5 *agement of the Trail and coordinate Trail activities with*
 6 *other public agencies and private entities, the Secretary*
 7 *may establish and operate a trail management office at a*
 8 *central location within the vicinity of the Trail.*

9 (d) *INTERPRETIVE FACILITIES.*—*The Secretary may*
 10 *plan, design, and construct interpretive facilities for sites*
 11 *associated with the Trail if the facilities are constructed in*
 12 *partnership with State, local, tribal, or non-profit entities*
 13 *and are consistent with the plan.*

14 (e) *MANAGEMENT PLAN.*—

15 (1) *IN GENERAL.*—*Not later than 3 years after*
 16 *funds are made available to carry out this Act, the*
 17 *Secretary shall prepare a cooperative management*
 18 *and interpretation plan for the Trail.*

19 (2) *CONSULTATION.*—*The Secretary shall pre-*
 20 *pare the plan in consultation with—*

21 (A) *State, local, and tribal governments;*

22 (B) *the Ice Age Floods Institute;*

23 (C) *private property owners; and*

24 (D) *other interested parties.*

25 (3) *CONTENTS.*—*The plan shall—*

1 (A) confirm and, if appropriate, expand on
 2 the inventory of features of the floods contained
 3 in the National Park Service study entitled “Ice
 4 Age Floods, Study of Alternatives and Environ-
 5 mental Assessment” (February 2001) by—

6 (i) locating features more accurately;

7 (ii) improving the description of fea-
 8 tures; and

9 (iii) reevaluating the features in terms
 10 of their interpretive potential;

11 (B) review and, if appropriate, modify the
 12 map of the Trail referred to in section 4(b);

13 (C) describe strategies for the coordinated
 14 development of the Trail, including an interpre-
 15 tive plan for facilities, waysides, roadside pull-
 16 outs, exhibits, media, and programs that present
 17 the story of the floods to the public effectively;
 18 and

19 (D) identify potential partnering opportu-
 20 nities in the development of interpretive facilities
 21 and educational programs to educate the public
 22 about the story of the floods.

23 (f) COOPERATIVE MANAGEMENT.—

24 (1) IN GENERAL.—In order to facilitate the de-
 25 velopment of coordinated interpretation, education,

1 *resource stewardship, visitor facility development and*
 2 *operation, and scientific research associated with the*
 3 *Trail and to promote more efficient administration of*
 4 *the sites associated with the Trail, the Secretary may*
 5 *enter into cooperative management agreements with*
 6 *appropriate officials in the States of Montana, Idaho,*
 7 *Washington, and Oregon in accordance with the au-*
 8 *thority provided for units of the National Park Sys-*
 9 *tem under section 3(l) of Public Law 91-383 (16*
 10 *U.S.C. 1a-2(l)).*

11 *(2) AUTHORITY.—For purposes of this subsection*
 12 *only, the Trail shall be considered a unit of the Na-*
 13 *tional Park System.*

14 *(g) COOPERATIVE AGREEMENTS.—The Secretary may*
 15 *enter into cooperative agreements with public or private en-*
 16 *tities to carry out this Act.*

17 *(h) EFFECT ON PRIVATE PROPERTY RIGHTS.—Noth-*
 18 *ing in this Act—*

19 *(1) requires any private property owner to allow*
 20 *public access (including Federal, State, or local gov-*
 21 *ernment access) to private property; or*

22 *(2) modifies any provision of Federal, State, or*
 23 *local law with respect to public access to or use of pri-*
 24 *ivate land.*

1 (i) *LIABILITY.—Designation of the Trail by section*
2 *4(a) does not create any liability for, or affect any liability*
3 *under any law of, any private property owner with respect*
4 *to any person injured on the private property.*

5 **SEC. 6. AUTHORIZATION OF APPROPRIATIONS.**

6 *There are authorized to be appropriated such sums as*
7 *are necessary to carry out this Act, of which not more than*
8 *\$12,000,000 may be used for development of the Trail.*

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A BILL

To designate the Ice Age Floods National Geologic
Trail, and for other purposes.

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